

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 6127
Obama for America and Martin Nesbitt,)
in his official capacity as Treasurer;)
Barack Obama; Obama Victory Fund)
and Andrew Tobias, in his official)
capacity as Treasurer; Democratic)
National Committee and Andrew)
Tobias, in his official capacity as)
Treasurer; VIDA Fitness; David von)
Storch; Saul Ewing, LLP)

CERTIFICATION

I, Darlene Harris, recording secretary for the Federal Election Commission executive session on November 17, 2009, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions in MUR 6127:

1. Dismiss the allegation that Obama for America and Martin Nesbitt, in his official capacity as Treasurer, violated 2 U.S.C. § 439a(b) and send a cautionary letter.
2. Dismiss the allegation that Barack Obama violated 2 U.S.C. § 439a(b) and send a cautionary letter.
3. Find reason to believe that VIDA Fitness, Urban Salons, Inc., d/b/a Bang Salon Spa, and David von Storch violated 2 U.S.C. § 441b(a) and 11 CFR § 114.2(f).
4. Dismiss the allegation that Obama Victory Fund, Obama for America, and the Democratic National Committee violated 2 U.S.C. § 441b(a).
5. Find no reason to believe that Obama for America and Martin Nesbitt, in his official capacity as Treasurer, violated 2 U.S.C. § 434(b) and 11 CFR § 104.3.
6. Find no reason to believe that Obama for America and Martin Nesbitt, in his official capacity as Treasurer, violated 2 U.S.C. § 441a(f).

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7. Find no reason to believe that Saul Ewing, LLP violated 2 U.S.C. § 441a(a)(1)(A) and 11 CFR § 110.1(b).
- 8.
- 9.
10. Approve the factual and legal analyses, as recommended in the First General Counsel's Report dated June 18, 2009, subject to the revisions previously circulated.
11. Approve the appropriate letters.
12. Close the file as to Obama for America and Martin Nesbitt, in his official capacity as Treasurer; Barack Obama; Obama Victory Fund and Andrew Tobias, in his official capacity as Treasurer; Democratic National Committee and Andrew Tobias, in his official capacity as Treasurer; and Saul Ewing, LLP.

Commissioners Bauerly, Hunter, McGahn II, Petersen, and Walther voted affirmatively for the decision. Commissioner Weintraub recused herself with respect to MUR 6127 and did not vote.

Attest:

November 19, 2009
Date

Darlene Harris
Darlene Harris
Deputy Secretary of the Commission

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